IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

Crl.Rev.Pet.No. 84 of 1998()

CRA.25/1995 of ADDL. SESSIONS COURT, THRISSUR
CC.321/1992 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KODUNGALLUR

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REVN. PETITIONER:

AKBAR ALI, S/O.SYED MUHAMMED,
THAIVALAPPIL, VELUTHAKADAVU DESOM,
SREENARAYANAPURAM VILLAGE,
KODUNGALLUR TALUK.

BY ADV. SRI.S.SANAL KUMAR
SRI.K.J.MOHAMMED ANZAR

RESPONDENTS:
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1. GOPI PILLAI ALIAS GOPALAKRISHNAN,
S/O.APPU PILLAI, PULIYAMPULLY,
SECRETARY, SREE NARAYANA SADU,
PARIPULANA SAMAJAM, CHATHEDATH PARAMB,
LOKAMALISWARAM, KODUNGALLUR.

2. STATE REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY ADV. SRI.N.P.SAMUEL
PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 09/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

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Crl.R.P.No.84 of 1998

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Dated this the 9th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay fine of Rs.5000/- and in default to undergo simple imprisonment for one and half months. The fine amount if realised, is ordered to be paid to the complainant under Section 357(1) of the Code of Criminal Procedure.

2. Counsel for the petitioner has only sought for modification of the sentence and time to pay the compensation amount.

I find that the cheque in question is for a sum of Rs.7,250/-. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of rupees ten thousand and in default to undergo simple imprisonment for two weeks. The revision petitioner shall appear before the

Judicial Magistrate of the First Class Court-I, Kodungallur, on 14/08/2007, to receive the sentence. The revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.84 of 1998

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O R D E R

9th July, 2007